

GREGORY M. FOX, STATE BAR NO. 070876
Arlene C. Helfrich, State Bar No. 096461
Bertrand, Fox & Elliot
The Waterfront Building - 2749 Hyde Street
San Francisco, California 94109
Telephone: (415) 353-0999
FAX (415) 353-0990
Attorneys for Defendants CITY OF OAKLAND
and POLICE CHIEF RICHARD WORD

(List of Additional Counsel Attached)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOCAL 10, INTERNATIONAL LONGSHORE)	
AND WAREHOUSE UNION, et al.,)	File No. No. C 03-2962 TEH (JL)
Plaintiffs,)	
vs.)	Hon. Thelton E. Henderson
CITY OF OAKLAND; et al.,)	
Defendants.)	STIPULATION AND (PROPOSED) ORDER
	DISMISSING INDIVIDUAL OFFICER
	DEFENDANTS WITH PREJUDICE AS TO
	PLAINTIFF DAVID LOVILLE ONLY

JAMES B. CHANIN, SBN 76043
JULIE M. HOUK, SBN 114968
LAW OFFICES OF JAMES B. CHANIN
3050 Shattuck Avenue
Berkeley, California 94705
Telephone: (510) 848-4752
FAX (510) 848-5819

JOHN L. BURRIS, SBN 69888
7677 Oakport Street, Suite 1120
Oakland, CA 94621
Telephone: (510) 839-5200
FAX (510) 839-3882

RACHEL LEDERMAN, SBN 130192
NATIONAL LAWYERS GUILD and
Law Offices of Rachel Lederman and Alexis C. Beach
558 Capp Street
San Francisco, CA 94110
Telephone: (415) 282-9300
FAX (415) 285-5066

ALAN L. SCHLOSSER, SBN 49957
JULIA HARUMI MASS SBN 189649
MARK SCHLOSBERG, SBN 209144
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF NORTHERN
CALIFORNIA, 1663 Mission Street, Suite 460
San Francisco, CA 94103
Telephone: (415) 621-2493
FAX (415) 255-8437

**Counsel for Plaintiffs Local 10 Longshore and Warehouse Union et al.
C03-2962 THE (JL)**

John A. Russo Esq. State Bar No. 129729
City Attorney
Randolph W. Hall, Esq. State Bar No. 080142
Chief Asst. City Attorney
Office of the City Attorney
One Frank H. Ogawa Plaza, 6th Floor
Oakland CA 94612
Telephone: (510) 238-3601
FAX (510) 238-6500

Counsel for defendant CITY OF OAKLAND et al

STIPULATION

IT IS HEREBY STIPULATED by and between the parties, Plaintiff DAVID LOVILLE, and the Defendants CITY OF OAKLAND, RICHARD WORD, PATRICK HAW, ROD YEE, E. POULSON, HOWARD A. JORDAN, DAVE KOZICKI, T. HOGENMILLER, E. TRACEY, R. GUTIEREZ, A. OERLEAMNS, R. HOLMGREN, P. GONZALES, S. KNIGHT, M. RANDALL, R. CHAN, R. OROZCO, G. BELLUSA, P. HUPPERT, J. SCOTT, J. KURZROCK, M. MACK, J. KELLY, OFFICER, SOUZA, J. MUSCHI, S. JOHNSON, OFFICER KARSABOOM, SGT. G. TOLLESON, SGT. D. CAMPBELL, OFF. R. MOORE, OFF. A. STEINBERGER, OFF. F. UU, OFF. B. WORDEN, OFF. J. FUKADA, OFF. J. DOOLITTLE, OFF. C. SAUNDERS, OFF. E. ROMANS and OFF. C. DELROSARIO, through their designated counsel that the above-captioned action entitled Local 10, International Longshore and Warehouse Union, et al., vs. City of Oakland, et al, and numbered C 03-2962 TEH (JL), be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1), as to all of the claims of plaintiff DAVID LOVILLE ONLY, against the individual officer defendants ONLY, whose names are listed as follows:

RICHARD WORD, PATRICK HAW, ROD YEE, E. POULSON, HOWARD A. JORDAN, DAVE KOZICKI, T. HOGENMILLER, E. TRACEY, R. GUTIEREZ, A. OERLEAMNS, R. HOLMGREN, P. GONZALES, S. KNIGHT, M. RANDALL, R. CHAN, R. OROZCO, G. BELLUSA, P. HUPPERT, J. SCOTT, J. KURZROCK, M. MACK, J. KELLY, OFFICER, SOUZA, J. MUSCHI, S. JOHNSON, OFFICER KARSABOOM, SGT. G. TOLLESON, SGT. D. CAMPBELL, OFF. R. MOORE, OFF. A. STEINBERGER, OFF. F. UU, OFF. B. WORDEN, OFF. J. FUKADA, OFF. J. DOOLITTLE, OFF. C. SAUNDERS, OFF. E. ROMANS and OFF. C. DELROSARIO.

It is acknowledged that DAVID LOVILLE's claims against the CITY OF OAKLAND are to be resolved pursuant to his acceptance of the CITY OF OAKLAND's offer of judgment pursuant to FRCP Rule 68 and offer of compromise pursuant to California CCP § 998 dated February 17, 2005. This dismissal with prejudice of the individual officer defendants is a condition of that offer of judgment and offer to compromise.

1 Dated: July 18, 2005

2 _____
3 /s/
4 JOHN L. BURRIS
5 Attorney for Plaintiffs in Local 10, et al.

6 Dated: July 22, 2005

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8 /s/
9 GREGORY M. FOX
10 Attorney for Defendants City of Oakland et al.

11 **ORDER**

12 Having reviewed the stipulation of the parties, and good cause appearing therefore
13 THIS COURT ORDERS THAT, pursuant to the parties' stipulation and the CITY OF
14 OAKLAND's offer of judgment pursuant to FRCP Rule 68 and offer of compromise pursuant to
15 California CCP § 998 dated February 17, 2005, and plaintiff DAVID LOVILLE's acceptance thereof,
16 Plaintiff DAVID LOVILLE's action No. C -03-2962 THE (JL) shall be and hereby is dismissed
17 with prejudice as against the following defendants ONLY: RICHARD WORD, PATRICK HAW,
18 ROD YEE, E. POULSON, HOWARD A. JORDAN, DAVE KOZICKI, T. HOGENMILLER, E.
19 TRACEY, R. GUTIEREZ, A. OERLEAMNS, R. HOLMGREN, P. GONZALES, S. KNIGHT, M.
20 RANDALL, R. CHAN, R. OROZCO, G. BELLUSA, P. HUPPERT, J. SCOTT, J. KURZROCK, M.
21 MACK, J. KELLY, OFFICER, SOUZA, J. MUSCHI, S. JOHNSON, OFFICER KARSABOOM,
22 SGT. G. TOLLESON, SGT. D. CAMPBELL, OFF. R. MOORE, OFF. A. STEINBERGER, OFF. F.
23 UU, OFF. B. WORDEN, OFF. J. FUKADA, OFF. J. DOOLITTLE, OFF. C. SAUNDERS, OFF. E.
24 ROMANS and OFF. C. DELROSARIO.

25 BY STIPULATION OF THE PARTIES, IT IS SO ORDERED.

26 _____
27 DATE

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THELTON E. HENDERSON
UNITED STATES DISTRICT COURT
Judge Thelton E. Henderson



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